

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRAVIS J. STEWART,

Plaintiff,

Civil Action No. 20-cv-12434
HON. BERNARD A. FRIEDMAN

vs.

PROS SERVICES, INC.,

Defendants.

/

**AMENDED ORDER GRANTING DEFENDANT'S MOTION TO COMPEL
PLAINTIFF'S ATTENDANCE AT AN INDEPENDENT MEDICAL
EXAMINATION AND OTHER RELIEF**

Before the Court is defendant Pros Services, Inc.'s motion to compel (1) plaintiff's attendance at an independent medical examination, as well as (2) plaintiff's authorization to third-party pharmacies to disclose his outpatient prescription drug history. (ECF No. 21). Plaintiff filed a response. (ECF No. 24). Defendant filed a reply. (ECF No. 25). The Court held a hearing on the motion on November 17, 2021. For the reasons stated on the record, it is hereby,

ORDERED that defendant's motion to compel plaintiff's attendance at an independent medical examination and other relief is granted.

IT IS FURTHER ORDERED that the substantive scope of the examination shall be limited to the standard parameters of independent psychiatric examinations conducted under Fed. R. Civ. P. 35.

IT IS FURTHER ORDERED that the examination shall be physically conducted in the Detroit metropolitan area.

IT IS FURTHER ORDERED that the examination shall be audio-recorded on a digital device. The digital recording shall be used solely to support an allegation of impropriety in the conduct of the examination.

IT IS FURTHER ORDERED that the examination shall take place no later than **Friday, December 17, 2021**.

IT IS FURTHER ORDERED that a copy of the examiner's report shall be served on plaintiff's counsel no later than **Friday, December 31, 2021**.

IT IS FURTHER ORDERED that a copy of plaintiff's expert witness report shall be served on defendant's counsel no later than **Friday, December 31, 2021**.

IT IS FURTHER ORDERED that dispositive motions shall be filed no later than **Monday, January 31, 2022**.

IT IS FURTHER ORDERED that any depositions of the examiner or plaintiff's expert witness, shall be conducted no later than 30 days before the trial date scheduled in this matter.

IT IS FURTHER ORDERED that the plaintiff shall immediately authorize the pertinent third-party pharmacies to disclose his outpatient prescription drug history to defendant.

IT IS FURTHER ORDERED that the disclosure authorizations shall be limited to outpatient prescriptions issued from **November 17, 2016 through the date of this order**.

Dated: November 19, 2021
Detroit, Michigan

s/Bernard A. Friedman
Bernard A. Friedman
Senior United States District Judge